

Amnesty International
International Secretariat
1 Easton Street
London WC1X 8DJ
United Kingdom

Date: 14 May 1985

SOME INDIVIDUAL CASES OF CONCERN TO AMNESTY INTERNATIONAL IN EAST TIMOR

Introduction

The Island of Timor lies at the eastern end of the Lesser Sunda island chain in the Indonesian archipelago, some 400 miles northeast of Darwin (Australia). The western half of the island has been part of Indonesia since 1949. The territory of East Timor was under Portuguese administration for over 250 years until August 1975. The territory was invaded by Indonesian forces in December 1975 and was in July 1976 claimed by Indonesia to have been incorporated as its 27th province. This claim has not been recognized by a majority of the states in the United Nations. Since 1975, fighting has continued between Indonesian forces and Fretilin (Frente Revolucionaria de Timor Leste), which was the East Timorese party which declared East Timor independent from Portugal in November 1975. In early 1985, Fretilin was still reported to be launching attacks on administrative posts in East Timor.

It should be noted that the status of the territory of East Timor and the question of self-determination per se are not an Amnesty International concern.

Amnesty International's concerns in East Timor are the following:

1. "disappearances";
2. extrajudicial executions;
3. torture and ill-treatment of persons taken into the custody of Indonesian forces, including their detention in cruel and inhuman conditions;
4. imprisonment without charge or trial of persons on political grounds, most often on suspicion of opposition to the Indonesian occupation;
5. lack of fairness of trials which have taken place since December 1983 of a number of East Timorese charged with political offenses.

Amnesty International's information on East Timor cannot be regarded as complete and it is not possible to assess the scale of the violations. In the report that Amnesty International published on 26 June 1985, findings are presented on human rights in East Timor between December 1975 and the end of 1984. Amnesty International believes that the evidence shows a persistent pattern of human rights violations in the territory extending over the whole nine-year period including those periods described by the Indonesian authorities as periods of "normality". The most widespread violations have occurred in waves and have generally been associated with times of increased military activity.

I. "Disappearances" and Extrajudicial Executions.

Maria Gorete Joaquim

Maria Gorete Joaquim was 17 years old when she "disappeared" in March-April 1979. Her "disappearance" had a particularly strong impact on people in the capital, Dili - it is perhaps the incident most frequently referred to people who have given information to Amnesty International about the human rights situation in East Timor.

Maria Gorete was the niece of Leopoldo Joaquim, a member of the Fretilin Central Committee with responsibility for Internal Administration and Security. She had been detained soon after the invasion for her reported involvement in the Fretilin student organization, Unetim (Uniao do Estudante de Timor), and had been taken in for interrogation on several subsequent occasions, reportedly on suspicion of having acted as an intermediary between Fretilin forces in the bush and supporters in Dili.

The most recent of these interrogations had reportedly occurred in September 1978. It is reported that after her release a month later she, her uncle and two other persons who before their capture had been prominent in Fretilin were sent regularly to the bush in the company of Indonesian troops to broadcast propaganda messages intended to induce Fretilin forces still fighting to surrender.

She and her uncle Leopoldo as well as the two other persons, Anibal Araujo and Joao Baptista de Jesus Soares, were reportedly taken from their homes by Indonesian troops in March or April 1979. When Maria Gorete and Leopoldo were taken, their relatives were reportedly told that they were being sent to the town of Baucau, east of Dili. Around this time, many East Timorese, particularly those formerly associated with Fretilin, were "disappearing". Amnesty International has the names of more than 350 people who "disappeared" in the period November 1978 to May 1979. Amnesty International has received unconfirmed reports of the execution of Maria Gorete Joaquim.

Amnesty International appeals to the Indonesian Government

- urging an immediate investigation into the fate or present whereabouts of Maria Gorete Joaquim following her reported arrest by Indonesian military personnel;
- urging that if such an investigation reveals that she was illegally abducted from her home by Indonesian military, tortured and/or arbitrarily executed, those implicated in these actions should be brought to justice.

Joao Bosco Sarmento Quintao

Joao Bosco Quintano "disappeared" from detention in the Comarca Prison in Dili in February or March 1979. A sergeant in the Portuguese military police doing national service, he had gone into the bush with Fretilin forces at the time of the Indonesian invasion. Reportedly captured after being shot in the leg in Fatu Ai Balun near Soibada, he was taken to Dili where he was held first in the warehouse attached to the San Hai To store which was then used for interrogation by Indonesian intelligence and was subsequently transferred to the Comarca prison.

By early 1979, he had been granted "conditional liberty", meaning he was allowed out of the prison during the daytime. In January 1979, he was able to attend his brother's wedding in Dili. One night in February or March 1979, he is reported to have been taken from the Comarca and executed at Lake Tacitolu to the west of Dili. During this period, many hundreds of persons formerly associated with Fretilin "disappeared" including a number who are reported to have been taken from their homes or places of detention in Dili and executed at Lake Tacitolu.

Amnesty International appeals to the Indonesian Government:

- urging an immediate investigation into the fate or present whereabouts of Joao Bosco Sarmento Quintao following his reported arrest by Indonesian military personnel;
- urging that if such an investigation reveals that he was illegally abducted from his home by Indonesian military, tortured and/or arbitrarily executed, those implicated in these actions should be brought to justice.

Augusto Gusmao

Augusto Gusmao, a nurse from Vemassee, Baucau, reportedly "disappeared" after being taken from his home by Indonesian troops on the night of 21 June 1984. His subsequent fate or whereabouts are not known.

At the time of the Indonesian invasion in December 1975, Augusto Gusmao was working as a nurse in Kelikai, Baucau. He then reportedly joined Fretilin in the bush and remained with them until being captured with several thousand others on Mount Matebian in November 1978. Shortly thereafter, he returned to Vemassee. He was reportedly arrested on several subsequent occasions. On one of these occasions, in November 1982, he was reportedly arrested with three others, one of whom, Jose Viegas, a teacher, "disappeared". He was reportedly detained for interrogation several times during September 1983 following the breakdown of the ceasefire between Indonesian forces and Fretilin the previous month. During this period, several hundred East Timorese were arrested on suspicion of having links with Fretilin, including some who "disappeared". In mid-June 1984, Augusto Gusmao was reportedly brought to the Military District Command Headquarters (KODIM) in Baucau for a further three days of interrogation during which he was reportedly severely beaten. Two days after his release he was picked up once again from his home and has reportedly been missing ever since. He is believed to have been in his late 30s at the time of his "disappearance".

Amnesty International appeals to the Indonesian Government:

- urging an immediate investigation into the fate or present whereabouts of Augusto Gusmao following his reported arrest by Indonesian military personnel;
- urging that if such an investigation reveals that he was illegally abducted from his home by Indonesian military, tortured and/or arbitrarily executed, those implicated in these actions should be brought to justice.

Venancio Gomes

Venancio Gomes "disappeared" after being arrested following a Fretilin attack on a television station and military outpost in Dili the night of 10 June 1980. Several hundred persons were arrested in Dili following this attack; Amnesty International has the names of 73 reported to have been executed or to have "disappeared" after the incident.

Venancio Gomes, known also by the Timorese name Mau Seran, was one of only a few East Timorese to have received higher education in Portugal. He reportedly returned to East Timor in early 1975. A member of the Fretilin Central Committee with responsibility for "national reconstruction", Venancio Gomes had first been arrested by Indonesian forces in 1975 in the early days of the invasion. He was said to have been released from the Comarca Prison in Dili in 1979, working thereafter as a taxi driver and teaching part-time at the church school in the Balide District of Dili. After the 10 June attack, he was reportedly rearrested, held in the Comarca Prison for a week and then taken to a house in the Colmera district of Dili which had formerly belonged to a Chinese-Timorese merchant Lay Ju Man but which had been requisitioned by Indonesian troops after the invasion. About 100 of those arrested after the 10 June attack were reportedly taken to this house for interrogation in the ensuing days. During interrogation, many were reportedly beaten, submerged in water and given electric shocks. Within a month of his arrest, Venancio Gomes is reported to have been killed by being dropped from a helicopter. According to an account received by Amnesty International, on 14 July 1980 he was brought to Dili airport and put on a helicopter which then flew southwest in the direction of Remexio; it returned 15 minutes later - without Venancio Gomes. At the time of his "disappearance" he was 28. Amnesty International has the names of seven other persons who "disappeared" after a period of detention in the house of Lay Ju Man following the 10 June attack. They are Pedro Lemos, Joao Barreto, Afonso Moniz, Jose Soares, Danilo da Silva, Raimundo Fatima and Hemengildo da Costa.

Amnesty International appeals to the Indonesian Government:

- urging an immediate investigation into the fate or present whereabouts of Venancio Gomes following his reported arrest by Indonesian military personnel;

- urging that if such an investigation reveals that he was illegally abducted from his home by Indonesian military, tortured and/or arbitrarily executed, those implicated in these actions should be brought to justice.

Joao Bosco Galucho Soares

Joao Bosco Soares "disappeared" reportedly after surrendering to Indonesian troops near Remexio in December 1978. Born in Hatulia in a coffee-growing area of Ermera in August 1943, he was educated at the Seminary of Our Lady of Fatima, in Dare near Dili. He was a first sergeant in the Portuguese infantry prior to the Indonesian invasion. His brother, Guido Soares, a professional soldier in the Portuguese army, became Vice-Minister of Defense in the Cabinet of the Democratic Republic of East Timor proclaimed by Fretilin in November 1975 and was reportedly killed in combat in November 1978. Several other members of his family also are said to have died in the bush where they had fled after the Indonesian invasion, including his mother and father, another brother, Valente, and Valente's wife.

Shortly before Joao Bosco Soares surrendered, his wife and child had been taken out in a helicopter by Indonesian troops on a journey which covered many parts of East Timor. His wife was ordered to appeal to Joao Bosco Soares through a megaphone to surrender. Amnesty International has heard of other instances where wives were sent to the bush to appeal to their husbands to surrender. It is reported that Joao Bosco Soares was taken by helicopter to Same after surrendering. His subsequent fate and whereabouts are not known.

Amnesty International appeals to the Indonesian Government:

- urging an immediate investigation into his fate or present whereabouts following his reported arrest by Indonesian military personnel;

- urging that if such an investigation reveals that he was illegally abducted from his home by Indonesian military, tortured and/or arbitrarily executed, those implicated in these actions should be brought to justice.

Dulce Maria da Cruz

Dulce Maria da Cruz "disappeared" shortly after being captured near the village of Luca, Viqueque in March 1979 with her three-year-old son. In October 1974 when still in her early twenties, she had been appointed head of a primary school in Maloa, Barrio Pite, Dili. In January 1975 she was appointed to a Comissao Reformuladora do Ensigne (Educational Reform Commission) set up by the Portuguese administration. She was reportedly an active Fretilin member of the Fretilin Central Committee and was assigned responsibility for education and culture.

After her capture she was reportedly brought to Dili for interrogation. Nothing is known of her subsequent fate. Another person captured with her, Nuno Horta, also "disappeared". Her son was subsequently reported to be in the care of his father's family.

The child's father, Vicente Reyes (Sa'he), a member of the Fretilin Central Committee and appointed minister in the government established by Fretilin in November 1975, was reportedly killed in combat around the time of Dulce Maria da Cruz's capture.

Amnesty International appeals to the Indonesian Government:

- urging an immediate investigation into her fate or present whereabouts following her reported arrest by Indonesian military personnel;
- urging that if such an investigation reveals that she was illegally abducted from her home by Indonesian military, tortured and/or arbitrarily executed, those implicated in these actions should be brought to justice.

Filomeno (Meno) Alves/ Manecas Exposto/ Oracio (Lito) Alves

These three were members of a group of prisoners who "disappeared" from the Comarca prison in Dili in April 1979. The group, of whom 12 have been identified to Amnesty International by name, were reportedly taken from the Comarca on the night of 18 April 1979 to Areia Branca beach east of Dili where they were executed. Filomeno Alves, Manecas Exposto and Oracio Alves were all in their early twenties when they "disappeared". Prior to the invasion, they had been widely known in Dili as members of a popular musical group, the Cinco de Oriente. At that time Filomeno Alves and Manecas Exposito were students at the Lyceo in Dili. They are also said to have been members of the Fretilin student organization, UNETIM. Meno and Lito Alves were cousins who had been brought up together in Santa Cruz, Dili, by Meno's mother, Maria Alves, who herself was held for two periods of detention in 1975 and 1977. Meno Alves and Manecas Exposto reportedly surrendered together near Maubisse in January 1979. Oracio Alves is reported to have surrendered in September 1978 in Manunera near Remexio.

Amnesty International appeals to the Indonesian Government:

- urging an immediate investigation into their fate or present whereabouts following their reported arrest by Indonesian military personnel;
- urging that if such an investigation reveals that they were illegally abducted from their homes by Indonesian military, tortured and/or arbitrarily executed, those implicated in these actions should be brought to justice.

Antonio Piedade Sarmento

Antonio Piedade was one of several hundred East Timorese arrested following the breakdown of a ceasefire between Indonesia and Fretilin forces in August 1983. He subsequently "disappeared". He was reportedly last seen in early September 1983 at Dili airport, part of a group of prisoners reportedly being taken to Bali for interrogation. Amnesty International has received reports that he subsequently died as a result of ill-treatment received while in detention.

Reportedly born in Ossu, Antonio Piedade studied at the Lyceo in Dili and was subsequently appointed an administrador de posto (local administrator) by the Portuguese. He joined Fretilin in the bush but was not imprisoned after being captured in late 1978. His brother, Moises Piedade, was reportedly extrajudicially executed with his wife, Maria, in Vai Bobo, Baucau in March 1979, apparently because Maria was the sister of the Fretilin President, Nicolau Lobato. Many members and relatives of the Lobato family are reported to have been extrajudicially executed, "disappeared" or imprisoned.

Amnesty International appeals to the Indonesian Government:

- urging an immediate investigation into the fate or present whereabouts of Antonio Piedade Sarmento following his reported arrest by Indonesian military personnel;
- urging that if such an investigation reveals that he was illegally abducted from his home by Indonesian military, tortured and/or arbitrarily executed, those implicated in these actions should be brought to justice.

II. Detention cases

Wenceslau de Carvalho

Wenceslau de Carvalho was reportedly arrested in December 1975 when Indonesian forces took over Oecusse, the Portuguese enclave in the western half of Timor. Originally from Dili, he was doing national service with a detachment of the Portuguese army in the Oecusse enclave when Indonesian troops invaded. Twenty-four members of the detachment were taken to Dili in May 1976 and held in the former Portuguese logistics quarter. Seventeen were released from there in late 1978; two had escaped in the intervening period. The five remaining were sent to the Comarca Prison. Four of them were still apparently in detention there as of late 1984, of whom only Wenceslau de Carvalho had been brought to trial.

He was tried some time between December 1983 and March 1984 in the Indonesia-established Dili District Court and was sentenced to eight years' imprisonment. As of early 1985 he was serving this sentence in Cipinang Prison, Jakarta. Between December 1983 and early 1985 about 100 East Timorese had been tried, charged with conspiring to bring about the secession of a part of the (Indonesian) state territory under Articles 106 and 110 of the Indonesian Penal Code. Amnesty International has repeatedly made known to the Indonesian Government its concern that these trials have not conformed to international standards, in particular with respect to the rights of the defendants to legal counsel of their choice, to examine witnesses and to appeal against their conviction. Amnesty International's requests to the Indonesian authorities for further information on the trials have met with no response. Its request in April 1984 to attend the trials was refused. In the particular case of Wenceslau de Carvalho, according to the information available to Amnesty International, he took no part in acts of resistance to the Indonesian invasion and has been in continuous detention since December 1975. Amnesty International is therefore concerned to discover the basis of the charges brought against him.

Amnesty International appeals to the Indonesian Government:

seeking clarification of the safeguards available to him when he was tried, in particular whether he had access to legal counsel of his own choice, whether he was present in the court at the time of his trial, whether he was permitted to confront witnesses and whether he was able to exercise his right of appeal;

asking whether his family have been informed of his present whereabouts and the reasons for his detention, a considerable distance from family and friends.

requesting details of the particular offences for which he was convicted.

Mariano Bonaparte Soares

Mariano Bonaparte Soares was sentenced to 16 years imprisonment in early 1984 charged under Articles 106 and 110 of the Indonesian Penal Code with conspiracy to bring about the secession of a part of the state. He is now serving his sentence in Cipinang Prison, Jakarta. Prior to his conviction he had been held continuously without charge or trial since being arrested in the aftermath of a Fretilin attack on the outskirts of Dili on 10 June 1980. Previously he had been in the Comarca Prison in Dili from shortly after the Indonesian invasion until late 1977 or early 1978. During this time he had been subject of frequent illness, apparently as a result of the severe prison regime.

After his arrest in June 1980, Mariano Bonaparte Soares was taken to a house in the Colmera District of Dili requisitioned by the Indonesian paracommando unit Kopassandha, which had formerly belonged to a Chinese merchant. There he was reportedly subjected to repeated beatings and ill-treatment, including being submerged in a water tank in the garden of the house. He was subsequently transferred to the Comarca prison where he apparently remained until around August 1983. At that time he was reported to have been transferred to Bali with several other prisoners, some of whom like him had already been held for long periods, others of whom had been recently arrested in connection with the breakdown of a ceasefire between Indonesian and Fretilin forces in early August 1983. He was subsequently returned to Dili for trial in the Indonesian-established District Court. He was one of 43 prisoners sent during 1984 to Jakarta to serve their sentences. About 100 East Timorese were tried in the Dili District Court between December 1983 and early 1985 charged under Articles 106 and 110 of the Indonesian Penal Code with conspiring to secede from Indonesia.

Mariano Bonaparte Soares was a member of the Bonaparte family of Manatuto, several of whom were prominent in Fretilin. His sister, Rosa Bonaparte (Muki), was secretary of the Fretilin women's organization, Organizacao Popular de Mulher de Timor. She was reportedly executed in Dili by Indonesian troops on 7 December 1975, the day of the invasion. Mariano Bonaparte Soares is himself said to have been a vice-secretary of the Secretariat of the Fretilin Central Committee. He is now aged about 36.

Amnesty International appeals to the Indonesian Government:

- seeking clarification of the safeguards available to him when he was tried, in particular whether he had access to legal counsel of his own choice, whether he was present in the court at the time of his trial, whether he was permitted to confront witnesses and whether he was able to exercise his right of appeal;
- asking whether his family have been informed of his present whereabouts and the reasons for his detention, a considerable distance from family and friends.
- requesting details for the particular offences of which he was convicted.
- asking that the reports of torture of Mariano Bonaparte Soares be investigated and that the authorities bring to justice persons found to have engaged in his torture.

- expressing concern that he has reportedly suffered from serious ill-health while in detention on previous occasions and requesting that steps be taken to ensure that he receives medical treatment as necessary.

Caetano da Sousa Gutteres

Caetano de Sousa Gutteres is currently serving a six year sentence in Cipinang Prison, Jakarta. He is believed to have been tried in Dili in mid-1984 under Articles 106 and 110 of the Indonesian Penal Code on charges of secession. He is one of 100 East Timorese tried and sentenced in Indonesian-established Dili District Court between December 1983 and early 1985. Originally from Buibela near Baguia, Caetano da Sousa Gutteres was arrested following the breakdown of a ceasefire between Indonesian forces and Fretilin in August 1983. At that time, he was living in Dili with his wife and children, working in the local office of the Indonesian Department of Industry.

Before the Indonesian invasion, Caetano da Sousa Gutteres had been a first sergeant in the Portuguese army. Following the invasion, he had reportedly fought with Fretilin in the Baguia area until his surrender or capture by Indonesian troops in late 1978. He is then said to have spent four months acting as a guide (TBO, Tenaga Bantuan Operasi - Operations Auxiliary) to the Indonesian forces and to have been settled in the "resettlement" village of Uatocarabau. He was later allowed to go to Dili to take up a position in the Department of Industry. As of early 1985, he was reported to be 35 years old.

Amnesty International appeals to the Indonesian Government

- seeking clarification of the safeguards available to Caetano da Sousa Gutteres when he was tried, in particular whether he had access to legal counsel of his own choice, whether he was present in the court at the time of his trial, whether he was permitted to confront witnesses and whether he was able to exercise his right of appeal;
- asking whether his family have been informed of his present whereabouts and the reasons for his detention a considerable distance from family and friends.
- requesting details for the particular offences of which he was convicted.

17

Domingos Seixas

Domingos Seixas, a hospital worker in his early thirties, was sentenced to 11 years imprisonment in early 1984 and is now serving his sentence in Cipinang Prison, Jakarta. He and about 100 other persons were tried in the Indonesian-established Dili District Court between December 1983 and early 1984 charged with secession under Articles 106 and 110 of the Indonesian Penal Code.

Domingo Seixas was born in Letefoho, Ermera, in 1951. He studied at the Lyceo in Dili. He then worked as a laboratory assistant in the Central Hospital in Dili. Following the Indonesian invasion in December 1975, he was reportedly detained for about one month. He subsequently worked as a paramedic in the Dili Hospital. He was reportedly rearrested and held for a short period following Fretilin attacks on the outskirts of Dili on 10 June 1980, and again in 1982. Within days of the breakdown of a ceasefire between Indonesian forces and Fretilin in August 1983, he was arrested once again and was subsequently reported to have been sent to the Indonesian island of Bali. He was apparently brought back to Dili for trial in early 1984 and was subsequently sent to Cipinang Prison where he remained as of mid-1985.

Amnesty International appeals to the Indonesian Government:

- seeking clarification of the safeguards available to Domingos Seixas when he was tried, in particular whether he had access to legal counsel of his own choice, whether he was present in the court at the time of his trial, whether he was permitted to confront witnesses and whether he was able to exercise his right of appeal;

- asking whether his family have been informed of his present whereabouts and the reasons for his detention a considerable distance from family and friends.

- requesting details for the particular offences of which he was convicted.

David Dias Ximenes

David Dias Ximenes from Baucau district now about 36 years old, was a lieutenant in the Portuguese army at the time of the Indonesian invasion of East Timor in December 1975. He was one of only a handful of East Timorese to have attained that rank. In 1974-75 he had been sent to Portugal for training. He is not known to have been openly affiliated with Fretilin and was reportedly recruited into the Indonesian army for a brief period. He reportedly refused to take Indonesian citizenship and may have come under suspicion on that account.

David Dias Ximenes was one of approximately 600 people arrested by Indonesian forces following an attack on 10 June 1980, reportedly by Fretilin forces, on an Indonesian army outpost in Becora, on the outskirts of Dili, and on a television broadcasting station in Dare, north of Dili. At the time he was reportedly employed as a mechanic at a garage servicing the Indonesian "provincial" government (pemda). Within days of the attack, David Ximenes was reportedly sent to an interrogation center established by troops of the elite paracommando unit, Kopassandha, in a house requisitioned in the Colmera district of Dili that had formerly belonged to the Chinese merchant Lay Ju Man.

David Ximenes was held in the house for at least a month. While there, he was reportedly tortured during interrogation; an eyewitness has informed Amnesty International that he saw David Ximenes and others being beaten severely and submerged in a water tank in the garden of the house.

David Ximenes was subsequently sent to the Dili District prison (the Comarca) where he apparently remained in detention until September 1983. In that month, he and a number of other detainees, most of whom had recently been arrested following the breakdown of a ceasefire between Fretilin and Indonesian forces in August 1983, were sent by airplane out of East Timor, possibly to Bali.

He was subsequently returned to the Comarca and in April 1984 Amnesty International learned that he was one of 23 people who had been tried on charges of secession in the Dili District Court. David Ximenes was sentenced to 15 years imprisonment and was sent to Cipinang prison in Jakarta where a total of 42 East Timorese political prisoners were detained at the end of 1984.

Amnesty International is concerned that David Ximenes was reportedly tortured following his arrest in June 1980, that he was subsequently detained for three and a half years without charge or trial, that he was tried according to procedures falling short of international legal standards and that he is now detained outside East Timor where contact with family members is rendered difficult.

Amnesty International appeals to the Indonesian Government:

seeking clarification of the safeguards available to David Ximenes when he was tried, in particular whether he had access to legal counsel of his own choice, whether he was present in the court at the time of his trial, whether he was permitted to confront witnesses and whether he was able to exercise his right of appeal;

- asking whether his family have been informed of his present whereabouts and the reasons for his detention a considerable distance from

family and friends.

- requesting details for the particular offences of which he was convicted.

- requesting that the reports of his torture be investigated and that the authorities bring to justice persons found to have engaged in his torture.

Luisa Maria Domingas da Costa

Domingas da Costa, aged about 26, is detained in Tangerang Women's Prison near Jakarta serving a six-year sentence. She was initially sent to Jakarta with her three-year-old child who was subsequently reported to have been sent back to family in Dili. She is one of a number of women reported to have been sentenced in the trials held in East Timor since December 1983. The others identified by name - two named Maria Immaculada and one named Beatriz Alberto - were reportedly held in the Comarca Prison in Dili as of late 1984. Their children were reported to be with them in prison.

Little is known about the reasons for Domingas da Costa's imprisonment or about her background. As with the others brought to trial, she was charged under Articles 106 and 110 of the Indonesian Penal Code with conspiring to cause a "part of the state territory" (of Indonesia) to secede. According to an unconfirmed report, she may be the wife of Eduardo da Costa, who is detained in Cipinang Prison also in Jakarta serving a seven-year sentence on similar charges to Domingas. Eduardo da Costa has been identified as one of a group of five persons reportedly arrested in early 1983 allegedly for having in their possession Fretilin newsheets. The whereabouts of another member of that group, Afonso de Jesus, are not known and he is regarded as having "disappeared".

Amnesty International is concerned that the trial of Domingas da Costa may not have been in accordance with international standards and in particular that she may not have had proper access to legal counsel and may have been denied the right to examine witnesses and to appeal her conviction. Amnesty International also believes that her trial was not open to full public scrutiny, in that they were not publicly announced or more than summarily reported. Amnesty International is concerned that Domingas da Costa is detained in Jakarta distant from her home and relatives.

Amnesty International appeals to the Indonesian Government:

seeking clarification of the safeguards available to Domingas da Costa when she was tried, in particular whether she had access to legal counsel of her own choice, whether she was present in the court at the time of her trial, whether she was permitted to confront witnesses and whether she was able to exercise her right of appeal;

asking whether her family have been informed of her present whereabouts and the reasons for her detention a considerable distance from her family and friends.

requesting details for the particular offences of which she was convicted.

III. Death in Detention

Duarte Carvalho

Duarte Carvalho was reportedly one of several hundred people arrested following the breakdown in August 1983 of a ceasefire between Indonesian and Fretilin forces. He is reported to have died in detention in Kupang, West Timor, in mid-1984 as a result of malnutrition and poor prison conditions.

He was born in the village of Bazartete, Likisa. Before the invasion he had worked as a bus driver for the Dili municipality. Prior to his arrest, probably in early September 1983, he had worked as a driver for the International Committee of the Red Cross. It is thought that he may have come under suspicion because his job gave him mobility around the territory and because a son was thought to be a Fretilin supporter still in the bush.

Following his arrest he was one of many detainees reported as having been sent from East Timor to Bali. In November 1983, he was reported back in detention in Dili, detained in the Comarca Prison. He was subsequently transferred to prison in Kupang in the Indonesian province of West Timor, where he is reported to have died in mid-1984 of malnutrition and generally poor prison conditions.

Amnesty International appeals to the Indonesian Government:

... expressing concern that Duarte Carvalho may have died as a result of malnutrition and poor prison conditions after being taken into custody by Indonesian forces and requesting that a full impartial investigation be carried out into the fate of Duarte Carvalho after his arrest.